

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

**FILED**  
DEC - 7 2018  
CLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
BY KZJ  
DEPUTY CLERK

UNITED STATES OF AMERICA,

v.

KEVIN TONDRE

§  
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Case No. SA:12-CR-0066 (01) FB

**ORDER REVOKING SUPERVISED RELEASE  
AND RESENTENCING THE DEFENDANT**

On the 6th day of December, 2018 came on to be considered the United States' Motion to Revoke the defendant's Supervised Release [*doc. #43*]. After due hearing, including consideration of all statutorily-required factors and revocation policy statements, the Court finds that the defendant has violated conditions of his supervised release as alleged by the United States, and that the ends of justice and the best interests of the public will not be served by continuing the defendant on supervised release. Accordingly, for reasons pronounced at sentencing and set forth in the motion to revoke,

**IT IS ORDERED** by the Court that the United States' Motion to Revoke the defendant's Supervised Release [*doc. #43*] is **GRANTED**. The terms of supervised release originally imposed on October 26, 2012 is hereby revoked and set aside pursuant to 18 U.S.C. §§ 3583(e)(3), (g)(1), and (g)(4).

**IT IS NOW THE ORDER AND SENTENCE** of this Court that the defendant is remanded to the custody of the Federal Bureau of Prisons to be imprisoned for a term of ***Time Already Served***. The Court entered an Order releasing the defendant to the custody of the United States Probation Office, if there were no pending detainers as to this defendant.

**IT IS FURTHER ORDERED** that upon release from imprisonment, the defendant shall commence serving, as of December 6, 2018, a **supervised release term of six (6) years**. The defendant shall comply with all previously imposed supervised release conditions and the following additional condition:

1. *The Defendant shall participate in an **out-patient** substance abuse treatment program and follow the rules and regulations of that program. The program may include testing and examination during and after program completion to determine if the defendant has reverted to the use of drugs. The probation officer shall supervise the participation in the program (provider, location, modality, duration, intensity, etc.). During treatment, the defendant shall abstain from the use of alcohol and any and all intoxicants. The defendant shall pay the costs of such treatment if financially able.*

Signed this 7<sup>th</sup> day of December, 2018.

  
FRED BIERY  
UNITED STATES DISTRICT JUDGE